



16523 U.S. PTO
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Atty Dkt No. 6750-0007.02
Client No. SU98-U01.US1.CON1
PATENTS

22390 USPTO 10/764010
012204

"Express Mail" Mailing Label N . EL 985 779 133 US
Date of Deposit January 22, 2004

REQUEST FOR FILING CONTINUATION APPLICATION

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b)(1), of pending prior application serial no. 09/662,224 filed on September 14, 2000 of Eugene J. ALEXANDER, Thomas P. ANDRIACCHI, Philipp LANG and Daniel STEINES for ASSESSING THE CONDITION OF A JOINT AND DEVISING TREATMENT.

1. Enclosed is an application filed under 37 C.F.R. 1.53(b)(1) [90 pages total (84 pages specification, 5 pages claims and 1 page abstract)] and 20 sheets drawings. No new matter has been added.
2. Applicant(s) claim(s) small entity status.
3. The filing fee is calculated below:

A.	Basic Application Fee		\$770
B.	Total Claims 33 - 20 = 13	x \$18	234
C.	Independent Claims 4 - 3 = 1	x \$86	86
D.	If multiple claims present, add	\$290	0
E.	Total Application Fee (Total of A, B, C & D)	=	<u>\$1090</u>
F.	If small entity status is claimed, reduce Total Application Fee by 50%		<u>545</u>
G.	Total Fee Due (E - F)	=	\$545

4. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.
5. A check to cover the \$545.00 application fee is attached.

6. Cancel in this application original claims _____ and _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. The inventor(s) of the invention being claimed in this application is (are): Eugene J. ALEXANDER, Thomas P. ANDRIACCHI, Philipp LANG and Daniel STEINES.
8. This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(b)(1), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: *.
9. Please amend the specification as follows: On page 1, please delete lines 10-12 and insert therefor --This application is a continuation of U.S. Patent Application Serial No. 09/662,224 filed on September 14, 2000 which is a continuation of PCT/US99/30265 filed on December 16, 1999 from which is related to Provisional Patent Application Serial No. 60/112,989 filed December 16, 1998 from which priority is claimed under 35 USC §119(e)(1), and which applications are incorporated herein by reference in their entireties.--
10. The prior application is assigned of record to _____.
11. A preliminary amendment is enclosed.
12. Also enclosed: Copy of the Declaration from 09/662,224 (3 pages), Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account (1 page) and a return receipt postcard.
13. The power of attorney in the prior application is to:

CUSTOMER NO. 36806
IMAGING THERAPEUTICS, INC.
C/O ROBINS & PASTERNAK LLP
1731 EMBARCADERO ROAD, SUITE 230
PALO ALTO, CA 94304-3303

- a. The power appears in the original papers in the prior application.
- b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed (1 page)
- c. Recognize the following individuals as Associate Attorneys: *.
- d. Address all future communications to * at:

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PATENT

Please address all future communications to Dahna S. Pasternak at Customer No. 36806.

CUSTOMER NO. 36806
IMAGING THERAPEUTICS, INC.
C/O ROBINS & PASTERNAK LLP
1731 EMBARCADERO ROAD, SUITE 230
PALO ALTO, CA 94304-3303

Respectfully submitted,

Date: January 22, 2004

By: Dahna
Dahna S. Pasternak
Registration No. 41,411

Address of signator:

- inventor(s)
- assignee of complete interest
- X attorney or agent of record

 filed under § 1.34(a)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: ALEXANDER et al. Serial No.: CON of 09/662,224 Filing Date: Herewith Title: ASSESSING THE CONDITION OF A JOINT AND DEVISING TREATMENT	Examiner: Group Art Unit: Confirmation No.: Customer No.: 36806
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**BLANKET PETITION FOR EXTENSION OF TIME AND
AUTHORIZATION TO CHARGE OR CREDIT DEPOSIT ACCOUNT**

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

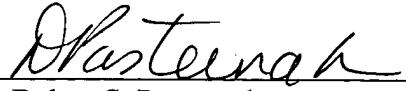
If a paper is untimely filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative, the Commissioner is hereby petitioned under 37 C.F.R. § 1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 C.F.R. § 1.17(a)-(d) to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

If a paper is concurrently or subsequently filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative and a fee under 37 C.F.R. §§ 1.16-1.17 is required to effect any amendment, petition or other action requested in said paper, the Commissioner is hereby requested to charge any deficiency in said fee, or credit any overpayment of said fee, to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

Respectfully submitted,

Date: January 22, 2004

By:


Dahna S. Pasternak
Registration No. 41,411

ROBINS & PASTERNAK LLP
1731 Embarcadero Road, Suite 230
Palo Alto, CA 94303
Telephone: (650) 493-3400
Facsimile: (650) 493-3440